

State Water Resources Control Board

November 20, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7018 0680 0000 1017 5123

Mr. Steve Bottoms
Operations & Maintenance Supervisor
Berrenda Mesa Water District
14823 Highway 33
Lost Hills, California 93249-9734
sbottoms@lhwd.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT BERRENDA MESA WATER DISTRICT, 14823 HIGHWAY 33,
LOST HILLS**

Dear Mr. Bottoms:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on October 30, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Monitor Product Piping – The sensor located inside the turbine sump was unable to detect a leak at the earliest opportunity because the sensor was not positioned in a true vertical orientation.	Unleaded	October 30, 2018	Ongoing	23 CCR 2630(d)
2	Failure to Tag Monitoring Equipment – The mechanical line leak detector (MLLD), liquid sensor in the turbine sump, automatic tank gauge (ATG), tank annular sensor, and liquid sensor in under-dispenser container (UDC) are missing the monitoring certification tags for the most recent monitoring system certification performed on January 16, 2018.	Unleaded	October 30, 2018	Ongoing	23 CCR 2638(f)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

No.	Violation	Tank	Start Date	Stop Date	Regulation
3	Failure to Maintain Facility Information – In CERS, the business owner operator section must be updated because it lists an employee no longer working for Berrenda Mesa Water District as the environmental contact.	All	October 30, 2018	Ongoing	23 CCR 2711(a)
4	Failure to Maintain Release Response Plan – In CERS, the release response plan must be updated because it lists an employee no longer working for Berrenda Mesa Water District as the person responsible.	All	October 30, 2018	Ongoing	23 CCR 2632(d)(2)(B), 2634(e)
5	Failure to Maintain Monitoring Plan – In CERS, the monitoring plan must be updated because it lists an employee no longer working for Berrenda Mesa Water District as having personnel responsibilities.	All	October 30, 2018	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2711(a)(9)
6	Failure to Maintain Financial Responsibility – In CERS, the Underground Storage Tank Pollution Liability and Coverage Action Coverage Provisions letter, and Certification of Financial Responsibility (CFR) documents in CERS coverage period ended July 1, 2018.	All	October 30, 2018	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
7	Failure to Perform Overfill Prevention Inspection – The overfill prevention inspection demonstrating overfill equipment will activate at the correct level was due by October 13, 2018.	Unleaded	October 13, 2018	Ongoing	23 CCR 2637.2

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Kern County Public Health Services Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violation has been corrected. Additionally, all debris must be removed from the UDC. The Designated UST Storage Tank Operator Identification Form lists a UST owner contact name that is no longer working for Berrenda Mesa Water District. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Will Speth
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
will.speth@waterboards.ca.gov

Local CUPA

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health Services
Department
2700 M Street, Suite 300
Bakersfield, California 93301-2370
korinb@kerncounty.com

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5891, or by email at matthew.buffleben@waterboards.ca.gov.

Sincerely,



Dr. Matthew Buffleben
Supervising Water Resources Control Engineer
Acting Supervisor, UST Enforcement Unit
Office of Enforcement

cc: (via email only)

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health Services Department
korinb@kerncounty.com

Ms. Lana Elfstrom
Environmental Health Technician
Kern County Public Health Services Department
elfstroml@kerncounty.com

Ms. Claudia Garcia.
Operations Manager
Lost Hills Water District
cgarcia@lhwd.org
admin@bmwd.org